

**ORDER GRANTING, UPON CERTAIN CONDITIONS,  
A TRANSPORTATION SPECIAL USE PERMIT FOR  
NEWHOPE CHURCH**

PIN: 0717-02-78-4536

The City Council of the City of Durham, having conducted a hearing on “Newhope Church” (T1400001), on June 16, 2014 and having considered all written and oral evidence presented at such hearing, hereby determines that the Ordinance requirements for the granting of a Major Special Use Permit in this case have been met, and that the Use Permit should be granted upon certain conditions.

**THE COUNCIL HEREBY MAKES THE FOLLOWING FINDINGS AND CONCLUSIONS,** based on the evidence presented at the public hearing:

The proposed use, as described in the application, with such further conditions as may be described below, meets the requirements of Section 3.3.8D of the Unified Development Ordinance, and:

1. The traffic generated by the development and associated improvements to the street system will not have a significant adverse impact on the surrounding area. Significant adverse impact shall include:
  - a. Substantial increases in traffic on local residential streets such that the majority of the traffic is not associated with the residential properties which front on the street; or
  - b. The need to widen local residential streets which would detract significantly from the character or basic function of the nearby streets.
2. Adequate provisions have been made for safe and efficient vehicular circulation, parking and loading, and pedestrian access.
3. The traffic generated by the proposed development and any proposed improvements to the street system will not have a significant adverse impact on the environment. Significant adverse impacts shall include but not be limited to undue concentration of air pollutants, or excessive noise or vibrations.
4. The traffic generated by the development can be accommodated by the existing or funded transportation system, or adequate traffic mitigation measures have been proposed as part of the development application. Proposed mitigation measures shall become conditions of the special use permit. The adopted level of service for the adjacent roadways may be considered in making this determination, but shall not be the sole factor considered by the City Council.

**IN SUPPORT OF THESE FINDINGS AND CONCLUSIONS,** THE COUNCIL finds as fact that the descriptions and statements of fact set forth in the staff report presented as evidence to the Council are the facts describing the proposed use, surrounding conditions, and ordinance requirements, and the Council adopts by reference and includes in this decision and order all such facts as if set forth herein.

**THEREFORE, THE COUNCIL HEREBY GRANTS THE MAJOR SPECIAL USE WITH THE CONDITIONS THAT MAY BE SET FORTH BELOW:**

1. Implementation and adherence to the March 19, 2014 Transportation Management Plan (TMP) for the Sunday peak-hour. Future adjustments to the TMP require advance written concurrence by the Durham Department of Transportation and NCDOT (as applicable) prior to implementation.
2. A traffic control officer shall be required at the intersection Fayetteville Road and Antler Point during peak Sunday hours; and
3. Adequate church personnel shall be utilized to assist patrons to find empty parking spaces.

This determination and Order is effective upon and after the date of its adoption as shown by the stamp of the City Clerk below.

**NORTH CAROLINA  
DURHAM COUNTY**

I, \_\_\_\_\_, Notary Public of the aforesaid County and State, certify that personally appeared before me this day \_\_\_\_\_ City Clerk of the City of Durham, who duly certified and acknowledged that the foregoing constitutes a true and accurate copy of the Order adopted by the City Council of the City of Durham at its meeting held \_\_\_\_\_, 20\_\_\_\_, as the same is taken from and compared with the recordation of said Order as Ordinance Number \_\_\_\_\_, on file in the Office of the City Clerk.

Witness my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
**Notary Public**

\_\_\_\_\_  
**My Commission Expires**